

Chapter 13.32

MCCOOK CEMETERY RULES AND REGULATIONS

Section

13.32.010 Responsibility

13.32.020 Cost/Perpetual Care Fund

13.32.030 Interment (Amended 2017)

13.32.040 Memorials

13.32.050 Installation of Memorials

13.32.060 Memorial Flowers, Vases, Flower Pots, Trees, Adornments. (Amended 2017)

13.32.070 Memorial/Vigil Lights

13.32.080 Penalties

13.32.090 McCook Cemetery Board (Inserted 2017)

13.32.010 Responsibility.

The McCook Cemetery is owned, operated and managed by the City. The McCook Cemetery Association assists the City in the overall care, maintenance and improvements. Specifically:

- A. The City shall sell burial plots and record burial information.
- B. The city shall provide the services of major tree trimming and removals.
- C. The City provides mowing during the growing season as needed.
- D. The City shall provide the trimming around the monuments/markers as needed throughout the growing season.
- E. The City shall notify the Cemetery Association to provide a clean-up service to the Cemetery through-out the growing season.
- F. The City shall provide adequate dirt and grass seed over the closed grave; however, the family shall provide adequate irrigation for its survival.

13.32.020 Cost/Perpetual Care Fund.

The McCook Cemetery Association Board shall determine the cost of a burial lot with approval of the City Council for the Cemetery which shall be subject to change. As part of the purchase price or transfer fee of a burial lot, a portion of the fee will be deposited into the Cemetery perpetual care fund. The interest from this fund is used for the care and upkeep of the Cemetery.

13.32.030 Interment.

For the purpose of this Ordinance "Interment" shall be defined as the burial of a deceased person. All interments in McCook Cemetery shall be underground with only one casket interment or two cremation interments per grave lot. Burials are not permitted outside of the designated area (i.e., alleys, pathways and roads). No interment of anybody other than that of a human shall be made in

such cemetery. All interments require an approved vault as a burial container. Vaults shall be constructed of concrete, steel or other approved material. All graves will be excavated and refilled in such a manner approved by the McCook Cemetery association board and with prior notification. To ensure proper preparation of the plot, the Cemetery Sexton, or an appointed representative, must be notified at least forty-eight (48) hours in advance of any interment. (Amended 2017)

13.32.040 Memorials.

For the purpose of this Ordinance "Memorial" shall be defined as any marker placed upon lots for identification in memory of interred. Only one grave memorial shall be permitted per grave space. No memorial shall embrace two or more grave spaces with the exception of a companion or family memorial.

13.32.50 Installation of Memorials.

Flat or upright memorials shall be allowed. A reputable dealer shall install monuments and markers in a workmanship like manner. All memorials shall be set on foundations according to the Cemetery Sexton's specifications. An installation work permit is required to be obtained by the Cemetery Sexton prior to any installation. Any company not selling or installing markers and/or monuments in compliance with the regulations established by the City shall be responsible to make necessary changes to comply within sixty (60) days of receipt of notice. The company shall thereafter be denied the privilege of making further installations of monuments and/or markers until the change has been made and inspected by the City Cemetery Superintendent and Cemetery Sexton and approved.

(Amended May 7, 2007)

13.32.060 Memorial Flowers, Vases, Flower Pots, Trees, Adornments.

The placing of cut flowers or plastic flowers at individual graves shall be permitted. Flowers placed in a permanent container may remain all year. A permanent container is a receptacle or urn that is an integral part of the monument or marker. The City shall not be responsible for the care of such flowers, or the containers they are placed in. The City shall not be responsible for damaged or stolen property. The Cemetery Association shall remove without notice, all flowers, not in permanent containers, that remain fifteen (15) days after Veteran's Day, Memorial Day and the 4th of July holiday weekend.

The planting of trees, shrubs, live flowers and/or placement of decorated rocks, stones, or home made markers is strictly prohibited. One Shepard's cane/heart is permitted throughout the year provided it is installed as close as permitted to the memorials and is safely out of the way for maintenance activities such as mowing, weed eating and spraying.

Benches may be installed in the Cemetery upon approval of the bench and location by the Cemetery Sexton. Any bench approved may not have a backrest, the base shall cover the entire area under the bench, the base shall be larger than the top for mowing purposes, and the base shall not exceed two (2) feet wide by four (4) foot eight (8) inches long. (Amended 2017)

13.32.070 Memorial/Vigil Lights.

Solar powered memorial/vigil lights are permitted. The City assumes no liability in the event the light is damaged or stolen. The light must be located in such a manner as to not interfere with routine cemetery maintenance. The City and the family member shall sign an agreement acknowledging that the City is not responsible in the event the light is damaged or stolen.

13.32.080 Penalties.

Any person who violates any section of this ordinance is in violation of this Ordinance and upon conviction thereof shall be subject to a fine not exceeding Five Hundred Dollars (\$500.00).

13.32.090 McCook Cemetery Board.

The McCook Cemetery Board is comprised of seven (7) members who shall be residents of Union County and who shall serve five (5) year terms. One member of the board shall be an elected official from the North Sioux City City Council. The board shall elect its own Cemetery Sexton. Board members shall be approved by the North Sioux City City Council. (Inserted 2017)